

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In re)	
)	
Amendment of Section 73.606(b) of)	RM -
the Rules (Table of TV Allotments))	
)	
Texarkana, Texas)	

To: Chief, Allocations Branch,
Policy and Rules Division,
Mass Media Bureau

PETITION FOR RULE MAKING

Faith Pleases God Church Corporation ("FPGCC"), through counsel and pursuant to Sections 1.411 and 1.420 of the Rules, and the FCC's *Public Notices*, "Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for New Analog TV Stations," DA 99-2605, released November 22, 1999, and "Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for New Analog TV Stations Extended to July 15, 2000," DA 00-536, released March 9, 2000, hereby petitions the FCC to amend its Table of Television Allotments (Section 73.606(b) of the Rules) to substitute NTSC Channel *22 for Channel *34 at Texarkana, Texas.¹

¹ Section 1.4(j) of the Rules provides that, where a filing date falls on a holiday (i.e., Saturday, Sunday, an officially recognized federal legal holiday or any other day on which the FCC's offices are closed and not reopened prior to 5:30 p.m.), "the document shall be filed on the next business day." This petition, therefore, filed on the first business day following the deadline announced in the FCC's March 9, 2000, *Public Notice*, is timely.

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FPGCC is an applicant (File No. BPET-960726KP) for a construction permit for a new noncommercial educational television broadcast station on Channel *34 at Texarkana, with an effective operating power of 275 kW. In the Advanced Television proceeding, MM Docket No. 87-268, *Sixth Report and Order*, FCC 97-115, released April 21, 1997) the FCC allotted DTV Channel 34 to Shreveport, Louisiana (see Section 73.622). In the above-referenced *Public Notices*, the FCC directed applicants for new NTSC television stations to modify their applications, if necessary, to eliminate conflicts with DTV stations, applications and allotments. Modifications may be accomplished by amendment or, where necessary, by petitioning the FCC to amend the TV Table of Allotments.

To eliminate the conflict between the allotment of NTSC Channel *34 at Texarkana, Texas, and DTV Channel 34 at Shreveport, Louisiana, FPGCC proposes substitution of NTSC Channel *22 for Channel 34 at Texarkana, Texas.

The attached engineering statement by FPGCC's consulting engineer, Charles A. Cooper, of the consulting engineering firm of du Treil, Lundin & Rackley, Inc., shows that the proposed allotment of NTSC Channel *22 at Texarkana, Texas, (1) will meet all minimum required spacing requirements to relevant NTSC allotments (Attachment, Figure 1); (2) at a proposed effective radiated power of 200 kW, will not result in prohibited interference to any operating, authorized or proposed DTV station, application or allotment (Attachment, Figure 2); (3) will not result in prohibited contour overlap with any Low Power Television (LPTV) station and, therefore, will not conflict with any facility eligible to be licensed as a Class A LPTV station. The engineering study does show apparent short-spacings to the allotments of NTSC Channel 17 at Texarkana, Texas, and NTSC Channel

22 at Marshall, Texas. Those allotments, however, are vacant, and there are no pending applications for new NTSC facilities on those channels. FCC policy, therefore, requires those channels to be deleted from the TV Table of Allotments (*Sixth Report and Order* in MM Docket No. 87-268, FCC 97-115, released April 21, 1997, ¶ 112) and they should be deemed not relevant to this proposal. If necessary to permit proper consideration, and notice and opportunity for comment, the FCC, in a *Notice of Proposed Rule Making* to implement this proposal, should formally propose deletion of the Texarkana Channel 17 and Marshall Channel 22 allotments.

Because resolution of the conflict between its pending NTSC application and the allotment of DTV Channel 34 at Shreveport, Louisiana, requires substitution of a different NTSC channel at Texarkana, Texas, FPGCC is precluded from filing an amendment to its NTSC application at this time. However, promptly after the effective date of an order amending the TV Table of Allotments as proposed herein, FPGCC will amend its pending application to specify a maximum effective radiated power of 200 kW (well in excess of the minimum effective radiated power of 100 watts required by Section 73.614 of the Rules for full-service television stations operating on assigned channels in the TV Table of Allotments), to assure that interference protection will be provided to relevant DTV stations, applications and allotments.²

² Because the proposed substitution of Channel *22 at Texarkana, Texas, complies with all minimum NTSC spacing requirements and the principal community coverage requirement, and because FPGCC proposes to operate with substantially more than the minimum effective radiated power for full-service television stations, this proposal is acceptable under Section 73.611(a) of the Rules, which makes no reference to DTV allotments, stations or applications. Should the FCC conclude, however, that the power limitation necessary to avoid prohibited interference to DTV stations, for some reason,

Accordingly, the FCC should issue a *Notice of Proposed Rule Making* to amend Section 73.606(b) of the Rules (Table of TV Allotments) as follows:

Existing

Texarkana, TX..... 6, 17-, *34

Proposed

Texarkana, TX..... 6, 17-, *22

Respectfully submitted,

FAITH PLEASES GOD CHURCH
CORPORATION

By

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causes this proposal to be unacceptable as an amendment to the NTSC Table of Allotments, then the FCC should propose the allotment of Channel *22 to Texarkana as a DTV allotment. According to FPGCC's consulting engineers, du Treil, Lundin & Rackley, Inc., a DTV station operating nondirectionally on Channel *22 with maximum facilities of 800 kW at the antenna height proposed in the pending application (133 meters AAT) would not cause interference to more than 2.0 percent of the baseline population of any affected DTV station. Should the FCC allot Channel *22 to Texarkana as a DTV channel, FPGCC will amend its pending application to specify DTV operation only on Channel *22.

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING
MODIFICATION OF THE NTSC ALLOTMENT TABLE
TEXARKANA, TEXAS

Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of Faith Pleases God Church Corporation in support of a *Petition for Rule Making* to modify the NTSC allotment at Texarkana, Texas by the proposed substitution of channel 22 for channel 34.

In the Public Notice, "Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for new Analog TV Stations", released on November 22, 1999, the FCC announced a filing window opportunity for applicants with certain pending application and allotment petitions for new analog TV stations.

Currently Faith Pleases God Church Corporation has a pending application (BPET-960726KP) for operation on channel 34. This allotment is effectively prevented from operation due to the proximity of a nearby co-channel DTV allotment and is therefore considered eligible for the filing window.¹

¹ The nearby co-channel DTV is KMSS-DT at Shreveport, LA located 85.8 kilometers from the proposed Texarkana facility.

Proposed Allotment Specifications

NTSC channel 22 can be substituted and allotted to Texarkana, Texas in compliance with the principal community coverage requirements of section 73.685(a) with the following technical specifications:

Channel 22(z)

Zone II

Latitude 33° 25' 48"

Longitude 94° 05' 09"

Effective Radiated Power: 200 kW (Maximum)

Radiation Center: 224 meters AMSL

Radiation Center: 133 meters HAAT

Directional Antenna Radiation Pattern Relative Field - No Rotation											
Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value	Degree	Value
0	0.66	60	0.64	120	0.64	180	0.66	240	0.95	300	0.95
10	0.63	70	0.66	130	0.62	190	0.71	250	0.98	310	0.91
20	0.61	80	0.67	140	0.60	200	0.76	260	1.00	320	0.87
30	0.60	90	0.67	150	0.60	210	0.82	270	1.00	330	0.82
40	0.60	100	0.67	160	0.61	220	0.87	280	1.00	340	0.76
50	0.62	110	0.66	170	0.63	230	0.91	290	0.98	350	0.71

NTSC Allocation Study

The proposed transmitter site would meet the Commission's minimum separation requirements applicable to NTSC operation on channel 22 specified in Section 73.610, except with respect to two vacant NTSC allotments as shown in Figure 1. It is noted that both of these vacant allotments have no pending applications. Therefore, these allotments will be deleted and hence, no protection is required.²

² Paragraph 112 of the Sixth Report and Order, in the Matter of Advanced Television Systems and Their Impact upon the Existing Television Service, Released April 21, 1997.

DTV Allocation Study

A DTV allocation study was completed for the herein proposal. No prohibited interference would be created.

Figure 2 tabulates the DTV stations and allotments studied and the resulting interference. Interference studies were made in accordance with the procedures adopted in the FCC's 6th Report and Order and Memorandum Opinion and Order in MM Docket No. 87-268 and outlined in OET Bulletin No. 69.³

Class A Television Allocation Study

The proposed facility will not cause any prohibited contour overlap to any Low Power Television Station (LPTV) and therefore, no Class A eligible facility.



Charles A. Cooper

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
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941.329.6000

July 14, 2000

³ The du Treil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures outlined by the FCC in the Sixth Report and Order; subsequent Memorandum Opinion and Order; and FCC OET Bulletin No. 69. A nominal grid size resolution of 2 km was employed. An Alpha based processor computer system was employed. The results have been found to be in very close agreement with the results of the FCC implementation of OET Bulletin No. 69.

PETITION FOR RULE MAKING
MODIFICATION OF THE NTSC ALLOTMENT TABLE
TEXARKANA, TEXAS

Channel 22 NTSC Allocation Study
Zone II
Zero (0) Frequency Offset

33° 25" 48" North Latitude
94° 05' 09" West Longitude

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
	TEXARKANA		17(-)		33-25-29	98.3	4.06	31.4
	TX	-	II		94-02-34			

(No pending applications for this vacant allotment. Therefore, allotment will be deleted and hence, no short-spacing.)

KPXJ	MINDEN		21(+)	3020 DA	32-44-40	139.1	100.52	87.7
LIC	LA BLCT	-19980915	II	143	93-22-54			
	MARSHALL		22(-)		32-33-06	196.0	101.35	280.8
	ALLOC. TX	-	II		94-23-06			

(No pending applications for this vacant allotment. Therefore, allotment will be deleted and hence, no short-spacing.)

	ADA		22(o)	0	34-46-24	302.8	281.72	280.8
ALLOC. OK		-	II	0	96-40-36			

PETITION FOR RULE MAKING
MODIFICATION OF THE NTSC ALLOTMENT TABLE
TEXARKANA, TEXAS

Channel 22 DTV Impact Allocation Study

Facility	Channel	NTSC or DTV?	Baseline Service Population (1990)	Permissible IX(%)	New IX Caused by Proposed (1990)	Percent of Baseline (%)
KHBS-DT Fort Smith, AR BPCDT-19991101A	21	DTV	290,000	0.5	0	0.00
KHBS-DT Fort Smith, AR FCC Allotment	21	DTV	290,000	0.5	0	0.00
KAUZ-DT Wichita, TX BPCDT19991028A	22	DTV	367,000	0.5	0	0.00
KAUZ-DT Wichita, TX FCC Allotment	22	DTV	367,000	0.5	0	0.00
KATV-DT Little Rock, AR BPCDT19991027A	22	DTV	976,000	0.5	2,250	0.23
KATV-DT Little Rock, AR FCC Allotment	22	DTV	976,000	0.5	570	0.06
KETK-DT Jacksonville, TX BPCDT19991014A	22	DTV	553,000	0.5	1,625	0.29
KETK-DT Jacksonville, FCC Allotment	22	DTV	553,000	0.5	375	0.07
KOKI-DT Tulsa, OK	22	DTV	990,000	0.5	194	<0.01
KOKI-DT Tulsa, OK FCC Allotment	22	DTV	990,000	0.5	0	0.00

Figure 2